THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3282 of 2007

Dated:28.02.2007

Between:

Siginam Baskaraiah.

…PETITIONER

and

The District Collector, Nellore, and others.

…RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3282 of 2007

ORDER:

The petitioner is statedly owner of land admeasuring Ac.1.16 cts in survey No.254/2 situated at Veguru Village, Kovur Mandal, Nellore District, having purchased the same under three registered sale deeds dated 12.05.1974, 31.08.1981 and 01.07.1986. He raised sugarcane crop therein. He alleges that third respondent, namely, the Mandal Revenue Officer (MRO), is trying to lay road on a portion on the eastern side of the petitioner's land up to Nakkalamitta Kalva. Aggrieved by the same, the petitioner seeks a writ of Mandamus directing the respondents not to lay road on his land.

After getting instructions, the learned Assistant Government Pleader for Revenue (General-A) submits that the land on which the road being laid is Government Poramboke and that the allegation made by the petitioner is not correct. In a writ petition, it is not possible for this Court to decide whether the respondents are encroaching upon the land belonging to the petitioner. Therefore, it would be in the interests of justice to observe that MRO should personally inspect the land and if it is found that the road is being laid on the eastern side of the land belonging to the petitioner, necessary action may be taken by issuing notice to the petitioner and acquire the land. If, however, during the enquiry, it is found that the road is being laid on the

Poramboke land, the petitioner cannot be given any redressal.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

28th February, 2007
ghn